

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1656 be amended to read as follows:

- 1 Page 1, delete lines 9 through 17, begin a new paragraph and insert:
2 **"(b) As used in this section, "resident of Indiana" means a**
3 **person who:**
4 **(1) is at least eighteen (18) years of age;**
5 **(2) is lawfully present in the United States and is authorized**
6 **to work on a project in accordance with federal law; and**
7 **(3) is one (1) of the following:**
8 **(A) A person who has registered a motor vehicle in**
9 **Indiana.**
10 **(B) A person who is registered to vote in Indiana.**
11 **(C) A person who has a child enrolled in an elementary or**
12 **a secondary school located in Indiana.**
13 **(D) A person who derives more than one-half (1/2) of the**
14 **person's gross income (as defined in Section 61 of the**
15 **Internal Revenue Code) from sources in Indiana,**
16 **according to the provisions applicable to determining the**
17 **source of adjusted gross income that are set forth in**
18 **IC 6-3-2-2. However, a person who would otherwise be**
19 **considered a resident of Indiana under this subdivision is**
20 **not a resident of Indiana if a preponderance of the**
21 **evidence concerning the factors set forth in clauses (A)**
22 **through (C) proves that the person is not a resident of**
23 **Indiana."**
24 Page 2, delete lines 1 through 8.

Page 2, delete lines 22 through 40, begin a new paragraph and insert:

"SECTION 2. IC 4-13.6-6-2.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.8. (a) As used in this section, "resident of Indiana" means a person who:**

- (1) is at least eighteen (18) years of age;**
- (2) is lawfully present in the United States and is authorized to work on a project in accordance with federal law; and**
- (3) is one (1) of the following:**
 - (A) A person who has registered a motor vehicle in Indiana.**
 - (B) A person who is registered to vote in Indiana.**
 - (C) A person who has a child enrolled in an elementary or a secondary school located in Indiana.**
 - (D) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in clauses (A) through (C) proves that the person is not a resident of Indiana."**

Page 3, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 3. IC 5-16-1-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. (a) As used in this section, "resident of Indiana" means a person who:**

- (1) is at least eighteen (18) years of age;**
- (2) is lawfully present in the United States and is authorized to work on a project in accordance with federal law; and**
- (3) is one (1) of the following:**
 - (A) A person who has registered a motor vehicle in Indiana.**
 - (B) A person who is registered to vote in Indiana.**
 - (C) A person who has a child enrolled in an elementary or a secondary school located in Indiana.**
 - (D) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be**

considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in clauses (A) through (C) proves that the person is not a resident of Indiana."

Page 4, delete lines 1 through 10.

Page 8, delete lines 40 through 42, begin a new paragraph and insert:

"SECTION 9. IC 8-10-1-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.7. (a) As used in this section, "resident of Indiana" means a person who:**

- (1) is at least eighteen (18) years of age;**
- (2) is lawfully present in the United States and is authorized to work on a project in accordance with federal law; and**
- (3) is one (1) of the following:**

(A) A person who has registered a motor vehicle in Indiana.

(B) A person who is registered to vote in Indiana.

(C) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(D) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in clauses (A) through (C) proves that the person is not a resident of Indiana."

Page 9, delete lines 1 through 16.

Page 15, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 16. IC 8-23-9-4.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.6. (a) As used in this section, "resident of Indiana" means a person who:**

- (1) is at least eighteen (18) years of age;**
- (2) is lawfully present in the United States and is authorized to work on a project in accordance with federal law; and**
- (3) is one (1) of the following:**

(A) A person who has registered a motor vehicle in Indiana.

(B) A person who is registered to vote in Indiana.

(C) A person who has a child enrolled in an elementary or

1 a secondary school located in Indiana.

2 (D) A person who derives more than one-half (1/2) of the
 3 person's gross income (as defined in Section 61 of the
 4 Internal Revenue Code) from sources in Indiana,
 5 according to the provisions applicable to determining the
 6 source of adjusted gross income that are set forth in
 7 IC 6-3-2-2. However, a person who would otherwise be
 8 considered a resident of Indiana under this subdivision is
 9 not a resident of Indiana if a preponderance of the
 10 evidence concerning the factors set forth in clauses (A)
 11 through (C) proves that the person is not a resident of
 12 Indiana."

13 Page 16, delete lines 1 through 11.

14 Page 17, delete lines 6 through 24, begin a new paragraph and
 15 insert:

16 "SECTION 17. IC 36-1-12-5.5 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) As used in this section,**
 19 **"resident of Indiana" means a person who:**

- 20 (1) is at least eighteen (18) years of age;
- 21 (2) is lawfully present in the United States and is authorized
- 22 to work on a project in accordance with federal law; and
- 23 (3) is one (1) of the following:

24 (A) A person who has registered a motor vehicle in
 25 Indiana.

26 (B) A person who is registered to vote in Indiana.

27 (C) A person who has a child enrolled in an elementary or
 28 a secondary school located in Indiana.

29 (D) A person who derives more than one-half (1/2) of the
 30 person's gross income (as defined in Section 61 of the
 31 Internal Revenue Code) from sources in Indiana,
 32 according to the provisions applicable to determining the
 33 source of adjusted gross income that are set forth in
 34 IC 6-3-2-2. However, a person who would otherwise be

1 **considered a resident of Indiana under this subdivision is**
2 **not a resident of Indiana if a preponderance of the**
3 **evidence concerning the factors set forth in clauses (A)**
4 **through (C) proves that the person is not a resident of**
5 **Indiana."**

6 Renumber all SECTIONS consecutively.
 (Reference is to HB 1656 as printed February 3, 2009.)

Representative Thompson